

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LEONARD LUCERO,

Plaintiff,

v.

No. 13-cv-0684 MCA/SMV

**NEW MEXICO CORRECTIONAL
FACILITY, ET AL.,**

Defendants.

ORDER

This matter is before the Court on Plaintiff's amended IFP application [Doc. 11]. By Order entered on August 29, 2013, the Court granted Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 2]. Plaintiff was then released and subsequently returned to custody, and the Court required him to submit an amended IFP application with current financial information. According to the financial information submitted with the amended application, the Court will require Plaintiff to make an initial partial payment of \$4.60. *See* 28 U.S.C. § 1915(b)(1). The court will not review the merits of this civil rights complaint unless the initial partial payment is paid or excused. If Plaintiff fails to make a payment by the designated deadline or show cause why such payments should be excused, the complaint may be dismissed without prejudice without further notice.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECRED that Plaintiff's amended Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 11] is **GRANTED**. Within fourteen (14) days from entry of this Order, Plaintiff shall make an initial partial payment of \$4.60.



UNITED STATES MAGISTRATE JUDGE